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10/814,999	03/31/2004	David Benjamin Auerbach	24207-10111	1438

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EXAMINER
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MADAMBA, GLENFORD J

ART UNIT	PAPER NUMBER
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2451

NOTIFICATION DATE	DELIVERY MODE
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07/26/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptoc@fenwick.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/814,999	<b>Applicant(s)</b> AUERBACH ET AL.	
	<b>Examiner</b> Glenford Madamba	<b>Art Unit</b> 2451	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 June 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-7,9-17,19-25,27-31,33-41,43-51,53-55,57-59,61-63,65 and 66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-17,19-25,27-31,33-41,43-51,53-55,57-59,61-63,65 and 66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/2/2010</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Continued Examination Under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's IDS submission filed on May 17, 2006 has been entered.

2. With respect to Applicant's latest filing of IDS documentation dated 6/2/2010 for consideration, the Office has given full consideration to the references, but now withdraws the previous allowance of the application in light of the new grounds of disclosures and rejection resulting therefrom, and provided below for the current listing of claims.

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 25, 27-31, 33-38, 40-41, 43-48, 61-63 and 66 are rejected under 35 U.S.C. 101 because the claims do not fall under within a statutory category of invention (i.e., process, machine, manufacture, composition of matter). In particular:

Claims 25, 27-31, 33-38, 40-41, 43-48, 61-63 and 66 are rejected under 35 U.S.C. 101 because the claims are directed to a “computer readable storage medium” wherein no specific meaning of the term is provided in the written description. While the description cites statutory examples of computer readable media (i.e., floppy disk, compact disc, hard disk, DVD, ROM, RAM, magnetic tape, etc.), the Office notes that given the broadest reasonable interpretation of the specification describing exemplary embodiments for the computer readable media, and their ordinary meaning in their ordinary usage as would be understood by one of ordinary skill in the art, the claims are considered to be including both transitory and non-transitory media, and a transitory medium does not fall into any of the four said statutory categories of invention.

Accordingly, the Offices advises Applicant to amend the claim language to recite “non-transitory computer readable storage medium / media” rather than “computer readable storage medium / media” per se, in order to comply with 35 U.S.C. 101 statutory claim requirements. The scope of the disclosure given the state-of-the-art covers both transitory and non-transitory media, and the suggested amendment limits the claim(s) to eligible (non-transitory) embodiments.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-7, 9-14, 16-17, 19-25, 27-31, 33-38, 40-41, 43-51, 53-55, 57-59, and 61-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belfiore et al, U.S. Patent Publication US 2002/0059425 A1 in view of Gross et al, U.S. Patent 5,555,346 and in further view of Gruen et al (hereinafter Gruen), U.S. Patent Publication US 2005/0057584 A1 and Nelson et al (hereinafter Nelson), U.S. Patent 6,782,381 B2.

As per Claims 1, 25, 49, and 53, Belfiore discloses the recited feature of determining an occurrence of a condition indicating at least one transfer of an email message by an email application, wherein determining the occurrence of the condition is external to the email application [Abstract] [Fig. 1] [0006] [0015] [0018] [0020-0021 & 0023] [0054] [also Section L: Scenarios, 0241];

But while Belfiore discloses substantial features of the invention as above, he does not explicitly disclose the recited features of identifying event data associated with the email message, compiling an email event from at least some of the event data, associating the email event with a conversation based at least in part on the event data; and storing the email event, the association with the conversation and the email message. Nevertheless, the features are taught by Gross in a related endeavor.

Gross discloses as his invention an event driven and conditional rule based mail messaging system which can be transparently implemented for use in electronic mail applications. A rule mechanism is implemented having a "When-If-Then" event-driven, conditional, action-invoking paradigm or "triplet" which permits definition of a repertoire of events considered to be significant events upon which to trigger actions in the electronic mail messaging system. Each particular 'event' may be associated with a specific mail message and/or rules to promote efficient mapping of messages, events and rules so that only rules associated with a specific event are invoked upon occurrence of the event. Only relevant rules, i.e. those associated with a satisfied event, need be further processed. A graphical user interface to a structured rule editor facilitates synthesis of rules by a user via a substantially transparent rule engine. A modular architecture for the structured rule editors effects an extensible and portable facility invoking selected rule scripting language to implement various functions in the context of various electronic mail messaging environments [Abstract]. In particular, Gross discloses the recited features of identifying event data associated with the email message (e.g., New Message Event & Message UID) [Abstract] [Figs.

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3a-c], compiling an email event from at least some of the event data (e.g. persistent event queue) [Figs. 3a-c, 8, & 9], and storing the email event, the association with the conversation and the email message (message store) [Fig. 11a].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Belfiore's invention with the additional features of identifying event data associated with the email message, compiling an email event from at least some of the event data, associating the email event with a conversation based at least in part on the event data; and storing the email event, the association with the conversation and the email message, as disclosed by Gross, for the motivation of providing a flexible, efficient, event-driven and conditional rule based system which can be transparently implemented for use, e.g., in electronic mail applications [Abstract] [col 2, L35-41].

Further, while the combination of Belfiore and Gross discloses substantial features of the invention, as above, the combination does not explicitly disclose the additional recited feature of the method further comprising determining based at least in part on the event data that the email event is related to a first conversation comprising a thread of related email messages. Nonetheless, the feature is disclosed by Gruen in a related endeavor.

Gruen discloses as his invention an improved inbox or viewer for electronic mail which allows for greater integration of functions to enhance usability and productivity. The inventive electronic mail inbox of the present invention is based on the principles

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of: 1) bring all communications together into one place; 2) help focus on what's important; 3) find the information and people needed; and 4) keep things moving forward over time [Abstract] [0010]. In particular, Gruen expressly discloses the additionally recited features of the method further comprising determining based at least in part on the event data that the email event is related to a first conversation comprising a thread of related email messages (Gruen: i.e., “*Electronic Mail Document Conversation Thread*”) [0005] [0012-0013] (Conversation Thread Tree / Hierarchy) [00525] [0054] [Figs. 6a-b, 7, & 8a-d].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Belfiore and Gross with the above said additional feature, as disclosed by Gruen, for the motivation of providing electronic mail tools which facilitate greater efficiency in viewing, processing and responding to electronic mail [0007-0009].

Additionally, with respect to the claim, while Belfiore, Gross, and Gruen disclose substantial features of the invention, they do not explicitly disclose the recited features of “*analyzing a time gap between the email event and the email messages in the first conversation; and (a) responsive to the time gap being less than a certain amount of time, associating the email event with the first conversation; and storing the email event, the association with the first conversation, and the email message*”; and (b) “*responsive to the time gap exceeding the certain amount of time, associating the email event with a new conversation; and storing the email event, the association with*



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the new conversation (second conversation), and the email message”. Nonetheless, the features are expressly disclosed by Nelson in a related endeavor.

Nelson discloses as his invention a method and apparatus for evaluating queries against received event information. Queries are evaluated against received event information and notifications that events specified in the queries have occurred are generated by following the steps of recording the number of queries; and generating a notification if the item of event information matches the query. Each query can be arbitrarily complex comprising a plurality of sub-queries, each requiring a different item or items of event information to be matched [Abstract] [col 2, L20-29] [Figs. 1, 3d, 4-5 and 11-15].

In particular, Nelson discloses the recited features of “*analyzing a time gap between the email event and the email messages in the first conversation; and (a) responsive to the time gap being less than a certain amount of time, associating the email event with the first conversation; and storing the email event, the association with the first conversation, and the email message*”; and (b) “*responsive to the time gap exceeding the certain amount of time, associating the email event with a new conversation; and storing the email event, the association with the new conversation (second conversation), and the email message*” (Nelson: determining if “an event or sub-query occurs within a specified time window” or if “an event or sub-query does not occur within a specified time window”) [col 8, L36-59].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Belfiore, Gross and Gruen with the above said

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additional features, as disclosed by Nelson, for the motivation of providing a method and apparatus for evaluating queries against received event information [col 1, L15-22].

Claims 25, 49 and 53 are likewise rejected on the same basis as claims 1 and 25, since they recite similar features and are distinguishable only by their statutory category.

As per Claims 3 and 27, Belfiore discloses the method of claim 1, wherein the at least one transfer comprises receiving the email message [0054] [0087] [0111] [0133-0134] [0193].

As per Claims 4 and 28, Belfiore discloses the method of claim 1, wherein the at least one transfer comprises sending the email message [0006] [0062] [0171][also Section G. Messaging [0143] (e.g. email)] [0194].

As per Claims 5 and 29, Belfiore discloses the method of claim 1, wherein the email application comprises a client-based email application [Fig. 1] [0047] [0143].

As per Claims 6 and 30, Belfiore discloses the method of claim 1, wherein the email application comprises a network-based email application [Fig. 1] [0047] [0143].

As per Claims 7 and 31, Belfiore discloses the method of claim 1, wherein the email application comprises a client-based email application and a network-based email application [Fig. 1] [0047] [0143].

As per Claims 9 and 33, Belfiore discloses the method of claim 1, wherein determining the occurrence of the condition comprises determining if files associated with the email application have been updated [0018] [0079-0080] (e.g. Update & Notification Services).

As per Claims 10 and 34, Belfiore discloses the method of claim 1, wherein determining the occurrence of the condition comprises determining if an email related operating system condition has occurred [0143] [0244] [0267] (e.g. related messages such as voice and text/email messages).

As per Claims 11 and 35, Belfiore discloses the method of claim 10, wherein the operating system condition comprises an email icon output on a display associated with a client device [0006].

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As per Claims 12 and 36, Belfiore discloses the method of claim 10, wherein the operating system condition comprises an email message box output on a display associated with a client device [0070] [0086] [0143].

As per Claims 13 and 37, Belfiore discloses the method of claim 10, wherein the operating system condition comprises determining metadata for an email indicator associated with the email message displayed in the email application [0155-0156] [0233].

As per Claims 14 and 38, Belfiore discloses the method of claim 1, wherein the email application comprises a network-based email application and determining the occurrence of the condition comprises analyzing a web page associated with the network-based email application [0007-0008] [0194].

As per Claims 16 and 40, Belfiore discloses the method of claim 1, wherein determining the occurrence of the condition comprises determining an email protocol [0173] and an email server based on analysis of settings associated with the email application or network traffic (e.g. system/application settings) [0114].

As per Claims 17 and 41, Belfiore discloses the method of claim 16, further comprising periodically polling the email server for new email messages [0020].

As per Claims 19 and 43, Belfiore discloses the method of claim 1, wherein determining based at least in part on the event data that the email event is related to a first conversation comprises:

determining if an existing conversation relevant to the email event exists [0102] [0105] [0111] [0267];

As per Claims 20 and 44, Belfiore discloses the method of claim 19, wherein determining if an existing conversation relevant to the email event exists comprises an analysis of the event data associated with the email event [0102] [0105] [0111] [0267] [also Section E. Events, 0119, 0127, 0133-0134].

As per Claims 21 and 45, Belfiore discloses the method of claim 20, wherein the analysis of the event data comprises analysis of one or more of email message subject, date, content, sender and recipients [0023] [0073] [0111] [0127] [0213].

As per Claims 22 and 46, Belfiore discloses the method of claim 19, wherein determining if an existing conversation relevant to the email event exists comprises determining a conversation ID associated with the email message [also Section E. Events, 0119, 0127, 0133-0134] (i.e. Global ID) [0201].

As per Claims 23 and 47, Belfiore discloses the method of claim 1, wherein event data comprises at least one of sender data, a date and time associated with the event, and content from the email message [0023] [0073] [0111] [0127] [0213].

As per Claims 24 and 48, Belfiore discloses the method of claim 1, wherein event data comprises a conversation ID (i.e. Global ID) [0201].

As per Claims 50 and 54, Belfiore discloses the method of claim 49, wherein the email application comprises a client-based email application [Fig. 1] [0047] [0143].

As per Claims 51 and 55, Belfiore discloses the method of claim 49, wherein the email application comprises a network-based email application [Fig. 1] [0047] [0143].

As per Claims 57 and 61, Belfiore in view of Gross and in further view of Gruen discloses the method of claim 1, wherein determining based at least in part on the event data that the email event is related to a first conversation comprises analyzing a message body of the email message to determine a topic of the email message.

While the combination of Belfiore and Gross discloses substantial features of the invention, as above, the combination does not explicitly disclose the additional recited feature of the method wherein associating the email event with the conversation

comprises analyzing a message body of the email message to determine a topic of the email message. Nonetheless, the feature is disclosed by Gruen in a related endeavor.

Gruen discloses as his invention an improved inbox or viewer for electronic mail which allows for greater integration of functions to enhance usability and productivity. The inventive electronic mail inbox of the present invention is based on the principles of: 1) bring all communications together into one place; 2) help focus on what's important; 3) find the information and people needed; and 4) keep things moving forward over time [Abstract] [0010]. In particular, Gruen expressly discloses the additionally recited feature of the method wherein associating the email event with the conversation comprises analyzing a message body of the email message to determine a topic of the email message (Gruen: e.g., "Search Message Body for Permutation" 987) [Fig. 8d].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Belfiore and Gross with the above said additional feature, as disclosed by Gruen, for the motivation of providing electronic mail tools which facilitate greater efficiency in viewing, processing and responding to electronic mail [0007-0009].

As per Claims 58 and 62, Belfiore in view of Gross and in further view of Gruen discloses the method of claim 1, wherein determining based at least in part on the event data that the email event is related to a first conversation comprises analyzing an email attachment of the email message to determine a topic of the email message.

While the combination of Belfiore and Gross discloses substantial features of the invention, as above, the combination does not explicitly disclose the additional recited feature of the method wherein associating the email event with the conversation comprises analyzing an email attachment of the email message to determine a topic of the email message. Nonetheless, the feature is disclosed by Gruen in a related endeavor.

Gruen discloses as his invention an improved inbox or viewer for electronic mail which allows for greater integration of functions to enhance usability and productivity. The inventive electronic mail inbox of the present invention is based on the principles of: 1) bring all communications together into one place; 2) help focus on what's important; 3) find the information and people needed; and 4) keep things moving forward over time [Abstract] [0010]. In particular, Gruen expressly discloses the additionally recited feature of the method wherein associating the email event with the conversation comprises analyzing an email attachment of the email message to determine a topic of the email message (Gruen: e.g., "scanning of document content or any of its attachments) [Fig. 8a] [0053].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Belfiore and Gross with the above said additional feature, as disclosed by Gruen, for the motivation of providing electronic mail tools which facilitate greater efficiency in viewing, processing and responding to electronic mail [0007-0009].



As per Claims 59 and 63, Belfiore in view of Gross and in further view of Gruen discloses the method of claim 1, wherein email messages in the thread of related email each have at least some subject text in common.

While the combination of Belfiore and Gross discloses substantial features of the invention, as above, the combination does not explicitly disclose the additional recited feature of the method wherein email messages in the thread of related email each have at least some subject text in common. Nonetheless, the feature is disclosed by Gruen in a related endeavor.

Gruen discloses as his invention an improved inbox or viewer for electronic mail which allows for greater integration of functions to enhance usability and productivity. The inventive electronic mail inbox of the present invention is based on the principles of: 1) bring all communications together into one place; 2) help focus on what's important; 3) find the information and people needed; and 4) keep things moving forward over time [Abstract] [0010]. In particular, Gruen expressly discloses the additionally recited feature of the method wherein email messages in the thread of related email each have at least some subject text in common (Gruen: e.g., "Subject: Apples") [Fig. 6a].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Belfiore and Gross with the above said additional feature, as disclosed by Gruen, for the motivation of providing electronic mail tools which facilitate greater efficiency in viewing, processing and responding to electronic mail [0007-0009].

2. Claims 65 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belfiore in view of Gross in view of Gruen and in further view of Nelson and Omigui, U.S. Patent Publication 2004/0230572 A1

As per Claims 65 and 66, while the combination of Belfiore, Gross and Gruen discloses substantial features of the invention, as above, including the feature of the method wherein the first thread includes the email event and the second thread is absent the email event (Gruen: e.g., “data associated with an event may vary in detail and scope according to designer preferences, but will typically include ‘start’ and ‘end’ times, topic, type {i.e., electronic mail content / threads}) [Abstract], the combination does not explicitly disclose the additional recited feature of the method further comprising “associating the email event with a second conversation related to the first conversation” wherein a second thread of email messages comprising the second conversation lacks the email event. Nonetheless, the feature is disclosed by Omigui ‘572 in a related endeavor.

Omigui ‘572 discloses as his invention an integrated implementation framework for knowledge retrieval, management, capture, sharing, discovery, delivery and presentation, and wherein the system is responsible for maintaining ‘semantic information’. The invention of Omigui ‘572 expressly discloses ‘improvements’ to the “Semantically integrated Knowledge Retrieval, Management, Delivery and Presentation System” of Omigui ‘136 (co-pending application 10/179651), the disclosure of which is

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fully incorporated by reference by Omigui '572. As part of his invention, Omigui '136 discloses the capture, management, retrieval, sharing and presentation of 'objects' in accordance with '*context*' and/or '*time-Sensitive*' semantic information. The 'improvements' by Omigui '572 include features and enhancements, such as Entities, Profiles and *Semantic Threads*.

Specifically, Omigui '572 discloses the recited features of the method further comprising "associating the email event with a second conversation related to the first conversation" wherein a second thread of email messages comprising the second conversation lacks the email event [Omigui '572: 1202-1207]. With respect to the above cited portions of Omigui '572, Omigui '572 expressly teaches and discloses 'Semantic Threads Specification' for the Information Nervous System of his invention, wherein 'semantic threads' are objects in the Knowledge Information System (KIS) semantic network that represent threads of annotations or *conversations* [1190]. Omigui '572 also specifically discloses 'Semantic Thread Conversations' wherein new email objects may be 'added' to one or more threads based on 'semantic information', such as 'contextual' and/or 'time-criticality' attributes of the email objects, as well as 'object identifiers' and type identifiers' (e.g., OBJECT-TYPEID-THREAD identifier [1195-1200] [1203-1207].

It would thus be obvious to one of ordinary skill in the art to modify the combination of Belfiore, Gross, Gruen and Nelson with the above features, as disclosed by Omigui '572 for the motivation of providing an improved system that maintains 'semantic information'.

3. Claims 15 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belfiore in view of Gross in view of Gruen and in further view of Nelson and Dumais et al (hereinafter Dumais), U.S. Patent Publication US 2004/0267700 A1.

As per Claims 15 and 39, while the combination of Belfiore, Gross, Gruen and Nelson discloses substantial features of the invention such as the method comprising determining the occurrence of a condition indicating at least one email message transfer by an email application, wherein determining the occurrence of the condition is external to the email application [Abstract] [Fig. 1] [0006] [0015] [0018] [0020-0021 & 0023] [0054] [also Section L: Scenarios, 0241]; identifying the email message (Protocol\_824, i.e., SOAP) [Fig. 7] [0111], and 'indexing' [0203], the combination does not explicitly disclose the feature of the method wherein determining the occurrence of the condition comprises determining if a packet or packets received from a network comprises an email protocol. Nonetheless, the feature is expressly disclosed by Dumais in a similar endeavor.

Dumais, discloses as his invention a system and method providing content-access based information retrieval. A usage analyzer determines user accessed items and a content analyzer stores subsets of data corresponding to the items. An automated indexing component indexes the data subsets according to past data access patterns as determined by the usage analyzer. A search component responds to a search query, initiates a search across the indexed data [Abstract].

In particular, Dumais discloses that the present invention provides a unified index of information that a person has observed, whether it be *email*, web pages, office documents, calendar appointments, and so forth. Dumais' invention integrates disparate information sources into a single *index* that can be queried for information retrieval. Indexing happens automatically and is triggered by ongoing user activity, such as reading email messages [0005]. Dumais additionally discloses the 'storing of event data' for information content such as *emails* [0023-0024], and that possible communication between a client\_910 and a server\_930 may be in the form of a 'data packet' adapted to be transmitted between two or more computer processes [0082] [Fig. 9].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine Belfiore's invention with the feature of the method wherein determining the occurrence of the condition comprises determining if a packet or packets received from a network comprises an email protocol, as disclosed by Dumais, for the motivation of facilitating access-based retrieval of information or data [0001] [0021].

### ***Conclusion***

1. The Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It

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is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenford Madamba whose telephone number is 571-272-7989. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Glenford Madamba  
Examiner  
Art Unit 2151

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/John Follansbee/

Supervisory Patent Examiner, Art Unit 2451